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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

September 9, 1999

Honorable Samuel E. Hayes, Jr., Secretary  
Department of Agriculture  
211 Agriculture Building  
2301 North Cameron Street  
Harrisburg, PA 17110

Re: IRRC Regulation #2-107 (#1858)  
Department of Agriculture  
Food Employe Certification

Dear Secretary Hayes:

The Independent Regulatory Review Commission approved the subject regulation at its September 9, 1999 public meeting. Our Order is enclosed and is available on our website at <http://www.irrc.state.pa.us>.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush  
Vice Chairman

ACB:wbg  
Enclosure  
cc: Martha M. Melton  
Leroy C. Corbin, Jr.

# INDEPENDENT REGULATORY REVIEW COMMISSION

14th Floor, 333 Market Street  
Harrisburg, PA 17101

Commissioners Present:

Public Meeting Held September 9, 1999

Alvin C. Bush, Vice Chairman  
Arthur Coccodrilli  
Robert J. Harbison, III  
John F. Mizner

Department of Agriculture  
Food Employee Certification

Regulation No. 2-107

## BY ORDER OF THE COMMISSION

On June 11, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking adds Chapter 76 to 7 Pa. Code. The authority for this regulation is the Food Employee Certification Act (3 Pa. C.S. § 6505). The proposed regulation was published in the June 21, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 20, 1999. On August 6, 1999, the Commission received a request from the Department to toll consideration of this final-form regulation to amend reinstatement provisions in Section 76.15(d). On August 11, 1999, the Department submitted its revisions to the final-form regulation to the Commission.

This regulation will require most food establishments to have at least one supervisory employe who has undergone food safety training and passed a written examination evidencing food safety knowledge. Compliance is optional until July 1, 2001.

We have reviewed the revised final-form regulation and find it to be in the public interest. It implements the requirements of the Food Employee Certification Act and will serve as a safeguard of the public health.

### THEREFORE, IT IS ORDERED THAT:

1. Regulation No. 2-107 from the Department of Agriculture, as revised on August 11, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

  
Alvin C. Bush, Vice Chairman

